

**DETAILED ACTION**

1. Claims 1-3 and 5-16 are pending in the present application.

***Allowable Subject Matter***

2. Claims 1-3 and 5-16 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Applicant's arguments filed May 27, 2010 are found persuasive. The prior art of record fails to teach the limitations of independent claims 1, 11, 12 and 16. Specifically regarding independent apparatus claim 1, the prior art of record fails to teach the following limitation: "send said data to said data backup server in response to said request from the backup server, wherein the backup server is configured to store the data, to associate the stored data with said user account as well as other user accounts subsequently wanting to backup the same data, and to provide, on request by the user, the data to another computing device of the user". The limitations of independent method claim 12 parallels independent apparatus claim 1, therefore it is allowed for similar reasons. Regarding independent apparatus claim 11, the following limitation is not disclosed as claimed: "determine whether the requested previous backups are not on the wireless communication device, and whether the requested previous backups are compatible with the wireless communication apparatus; only on determining that the selected previous backups are currently not on the wireless communication apparatus and are compatible with the wireless communication apparatus, request the selected

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previous backups from the backup server; and receive said requested previous backups from said backup server". The limitations of independent method claim 16 parallels claim 11, therefore it is also found allowable. Claims 2-3, 5-10 and 13-15 are allowed based on dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571)272-4118. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tony Mahmoudi can be reached on (571)272-4078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Greta L. Robinson/  
Primary Examiner, Art Unit 2169  
June 02, 2010